

House Bill 101 (AS PASSED HOUSE AND SENATE)

By: Representatives Houston of the 170th, McCall of the 30th, England of the 108th, Roberts of the 154th, and Maddox of the 172nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to
2 public records that are not subject to disclosure, so as to provide that agricultural or food
3 system records, data, or information that are considered a part of the critical infrastructure
4 shall not be subject to disclosure; to provide that records, data, or information collected,
5 recorded, or otherwise obtained for the purposes of the national animal identification system
6 shall not be subject to disclosure; to provide for exceptions; to provide definitions; to provide
7 for related matters; to provide an effective date; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to public records
12 that are not subject to disclosure, is amended by adding new paragraphs (10.2) and (10.3) to
13 subsection (a) to read as follows:

14 "(10.2) Agricultural or food system records, data, or information that are considered by
15 the Georgia Department of Agriculture to be a part of the critical infrastructure, provided
16 that nothing in this paragraph shall prevent the release of such records, data, or
17 information to another state or federal agency if the release of such records, data, or
18 information is necessary to prevent or control disease or to protect public health, safety,
19 or welfare. As used in this paragraph, the term 'critical infrastructure' shall have the same
20 meaning as in 42 U.S.C. Section 5195c(e). Such records, data, or information shall be
21 subject to disclosure only upon the order of a court of competent jurisdiction;

22 (10.3) Records, data, or information collected, recorded, or otherwise obtained that is
23 deemed confidential by the Georgia Department of Agriculture for the purposes of the
24 national animal identification system, provided that nothing in this paragraph shall
25 prevent the release of such records, data, or information to another state or federal agency
26 if the release of such records, data, or information is necessary to prevent or control

1 disease or to protect public health, safety, or welfare. As used in this paragraph, the term
2 'national animal identification program' means a national program intended to identify
3 animals and track them as they come into contact with or commingle with animals other
4 than herdsmates from their premises of origin. Such records, data, or information shall be
5 subject to disclosure only upon the order of a court of competent jurisdiction;".

6 **SECTION 2.**

7 This Act shall become effective upon its approval by the Governor or upon its becoming law
8 without such approval.

9 **SECTION 3.**

10 All laws and parts of laws in conflict with this Act are repealed.